

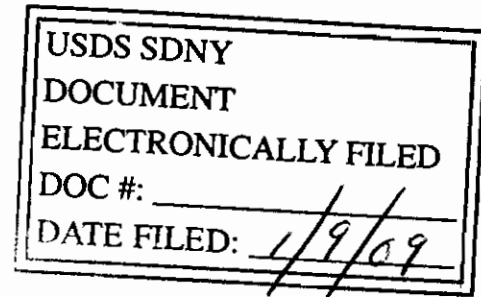
MEMO ENDORSED

SETH GINSBERG
ATTORNEY AT LAW



January 5, 2009

Honorable P. Kevin Castel
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

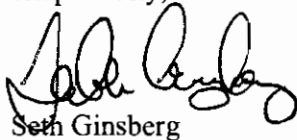


Re: United States v. Gotti, 08 Cr. 1220 (PKC)

Dear Judge Castel:

Enclosed please find a courtesy copy of our motion for bail pending trial. We wish to bring to your Honor's attention a scheduling concern in connection with this motion. Mr. Gotti is due to arrive in New York on January 14, 2009. Lead counsel for Mr. Gotti, Charles Carnesi, is due to travel out of state on January 18, 2009 for a trial in another district that is expected to last several weeks. Accordingly, if at all possible, we request that this motion be heard on either January 15 or 16 prior to Mr. Carnesi's departure. We thank the Court for its consideration of this request.

Respectfully,


Seth Ginsberg

Enclosure

cc: A.U.S.A. Elie Honig
A.U.S.A. Jay Trezevant

*Conference and
hearing on January 15
at 2 pm in Courtroom 12C.
SO ORDERED
[Signature]
1-9-09*